

VILLAGE OF AVOCA **WATER DEPARTMENT POLICY**

This Policy shall include, but not be limited to, the following definitions, rules and, regulations. The Village Board reserves the right, with proper motion and approval, to make such additions, deletions and changes as may be necessary to maintain proper and efficient operation of this Department.

This policy applies to all metered customers being served by the Village of Avoca Water System.

DEFINITIONS:

- CONSUMER:** Any owner or occupant of any property, including a private dwelling where a business is operated, who causes water to be used in any amount for any period of time.
- BILLING YEAR:** Four times each year according to the Village fiscal year beginning June 1st each year.
- DUE DATE:** Where the term due date is used in this Policy the following shall apply: Should the due date fall on a Saturday, Sunday, holiday or a non-scheduled working day for the Village Clerk, the due date shall be the first scheduled business day for the Village Clerk after the due date.
- PRIVATE DWELLING:** For billing purposes a private dwelling shall include, but not be limited to, all of the following:
- A) A structure housing one family.
 - B) A trailer housing one family.
 - C) *Each apartment* within a single structure
 - D) Each boarding house.
 - E) Each nursing home.
 - F) Any use not a public or business use.
- PUBLIC USE:** Public use shall include, but not limited to, school, libraries, churches.

GENERAL RESPONSIBILITY AND OWNERSHIP OF ALL SERVICE LINES AND ATTACHMENTS.

The Village of Avoca retains ownership and responsibility for the following equipment:

- Water Main
- Water Line connecting water main to curb stop
- Curb Stop
- Water Meter
- Water Meter Frost Plate
- Pressure Reducer
- Meter Pits and their Contents
- Remote Touch Pads

The property owner retains ownership and responsibility for the following equipment:

Water line, from curb stop into the home, including any portion inside the home.

Water line, from curb stop to meter pit and from meter pit into the home and including any portion inside the home.

If it can be reasonably determined that the replacement of any Village owned equipment is due to negligence on the part of the property owner, the following cost of parts will be added to the property owners quarterly billing.

			<u>Cost</u>	<u>Date</u>
Meters (5/8 X 3/4 ECR/WP)	(EJP)	118.00		02/12
Meter Frost Plates	(EJP)	16.00		02/12
Pressure Reducer	(Blair)	66.00		02/12
Meter Pits with Cover	(Blair)	395.00		02/12
Touch Pads – ECR	(Blair)	28.00		02/12

Replacement parts can only be installed by Village Water Department Employees. There is no labor charge for this service.

All service lines must be at least 3/4 “ copper with no inline couplings.

The Village Board reserves the right to adjust the above parts prices to reflect suppliers price adjustments.

SERVICE POLICY

A. WATER METERS AND METER PITS

Only water meters, meter pits, and pressure reducers provided by the Village of Avoca will be used.

B. METER LOCATION

1. Meters will be installed in a readily accessible location within the building
2. Where a readily accessible location within the building does not exist, a meter pit will be installed. Meter pits are to be located within the public right of way.
3. Where it is not possible to install the meter pit within the right of way due to traffic conditions:

The meter pit will be installed as near as possible to the right of way line, and the Village shall obtain a release providing for the operation and maintenance of the pit during regular working hours.

C. MULTI – FAMILY DWELLINGS

1. One water service will be provided to the structure of sufficient size to serve all units.

2. Owner's modifying internal plumbing to individually plumb each unit may request individual meters for each unit.

Following the request for individual meters:

The designated Village inspection agent shall verify the adequacy of internal plumbing

The Village will provide, at no cost to the Owner, a meter and remote read out device for each unit. Meter pits shall be provided by the Village where required.

The owner's plumber shall install such meters and meter pits to the approval of the designated Village inspection agent.

The Owner shall return any previously installed meter(s) to the Village Office within 3 days of installation of the individual meters in good working order. Unreturned meter(s) and damaged meter(s) will be charged against the Owner's account.

D. MULTI – USE STRUCTURES

1. One water service will be provided to the structure of sufficient size to serve all units.
2. Owner's modifying internal plumbing to individually serve separate uses may request individual meters for each use.

Following the request for individual meters:

The designated Village inspection agent shall verify the adequacy of internal plumbing

The Village will provide, at no cost to the Owner, a meter and remote read out device for each unit. Meter pits shall be provided by the Village where required.

The Owner's plumber shall install such meters and meter pits to the approval of the designated Village inspection agent.

The Owner shall return any previously installed meter(s) to the Village Office within three (3) days of installation of the individual meters in good working order.

Unreturned meter(s) and damaged meter(s) will be charged against the Owner's account.

E. MOBILE HOME PARKS

1. This policy considers the transportable nature of such structures and the requirements to install meter pits.
2. Owner's modifying external plumbing to individually serve each unit from a central point within the public right of way may request individual meters for each unit.

Following the request for individual meters:

The designated Village inspection agent shall verify the adequacy of external plumbing.

The Village will provide, at no cost to the Owner, a meter, remote readout device and meter pit for each unit.

The Owner's plumber shall install such meters and meter pits to approval of the designated Village inspection agent.

The Owner shall return any previously installed meter(s) to the Village Office within three (3) days of installation of the individual meters in good working order. Unreturned meter(s) and damaged meter(s) will be charged against the Owner's account.

F. SINGLE FAMILY RESIDENTIAL

1. One meter service will be provided to the structure of size to serve the unit.

G. OPERATION and MAINTENANCE

1. All meters, meter pits, and pressure reducers shall be owned, operated, and maintained by the Village Water Department

H. MODIFICATIONS

1. This policy may change from time to time, without notice, by order of the Village Board as conditions and circumstances necessitate.

1) SEASONAL AND PART TIME USE:

There will be no charge for one turn-on and turn-off of water service to any customer in a one year cycle (June 1 thru May 31 of the following year)

2) SALE OF HOME OR BUSINESS

In the event a tenant moves or a property is sold, the owner/seller is responsible for any outstanding water bill. The owner/seller is also responsible for notifying the Village Clerk in writing of any billing changes or property transfers and filing a "Real Property Transfer Report" (RP – 5217) with the Clerk.

Property Owner – Tenant Policy

When this situation exists, the property owner retains full responsibility for all water billing, chargeable to the property concerned.

Should the owner sell the property, they must notify the Village Clerk immediately, and file a "Real Property

Transfer Report” (RP – 5217) at the same time.

3) ABUSE OF WATER USE RIGHTS

For conservation purposes, as well as protecting the public interest any apparent misuse or wastefulness of the Village water supply shall be contrary to this Policy.

This type of abuse shall include, but not be limited to,

- a) *Prolonged* watering of lawns and gardens.
- b) Permitting fresh water to run inside or outside of the home for no proper reason or by neglect of the occupant.

The owner shall be contacted immediately by the Mayor or his designate to discuss the alleged misuse. Should the Mayor determine that misuse actually exists he shall order such misuse to cease. If the misuse fails to end immediately, water service to the owner shall promptly terminate. Should termination of water service to the property become necessary there is no provision for refund. The Mayor shall obtain all reasonable assurances from the owner, that the abuse/misuse shall not continue prior to reinstating water service to the property.

4) EXCESSIVE WATER CONSUMPTION

Occasionally a private metered water consumer of water by the Village of Avoca Water Supply will experience an excessive water meter reading due to a leakage of water on their premises.

When such leakage occurs due to a Village maintained line or due to the fault of the Village, the following procedure will be used to determined the charges:

The average of the three quarterly billings for the premises prior to the billing for the excessive usage will be determined to be the replacement billing amount for the excessive quarterly usage.

When such leakage occurs on the premises of the consumer due to malfunction, breakage, undetermined causes, or inadvertent use, and not within the Villages’ responsibility, the following procedure will be used to determine the relief, if any, afforded to the consumer:

The following criteria must all first be met (according to a majority vote of the entire Village Board):

- 1. The applicant consumer must be in good faith (fully truthful and not deceptive in their application).

2. The occurrence of excessive use must be reasonably beyond the control of the consumer applicant or the occupants of the premises.
3. The occurrence of excessive use could not have been reasonably detected.
4. The applicant consumer acted expeditiously to correct the situation as soon as it was discovered.
5. The applicant consumer cannot apply for relief more than once each Village fiscal year.

If the above criteria are met to the reasonable satisfaction of the Village Board, the following method of computation of the replacement bill for the excessive quarterly use will be as follows:

The last three (3) quarterly billings for the premises prior to the excessive billing quarter will be added to the excessive billing quarter and divided by four resulting in a replacement billing for the excessive quarter.

5) PAYMENT DUE – 3 MONTH BILLING

The actual due date will be indicated on the water bill itself. All water bills are due and payable in full as of date shown). This shall also include any penalty if applicable, *no partial payments will be accepted.*

6) PAYMENT METHOD

In as much as no receipted water bills will be returned to the customer through the US Mail, all customers are requested to pay by check or in person at the Village Clerk's Office. Your canceled check or stamped payment stub will constitute legal proof of payment. If you pay in person, you must submit your whole bill to receive a receipt at that time.

7) PENALTY FOR LATE PAYMENT

Any account not paid by the due date shown on the bill will be subject to a 10% penalty. this penalty, if applicable, is due and must be paid in full at the time the water bill is paid.

8) DISPOSITION OF UNPAID WATER CHARGES (3 month charge)

No water charges or penalties will be received by the Village Clerk during the month of November each year. Any charges or penalties remaining as of November 1st of each year, will be relieved against the property on the following January Town and County Tax Bill.

9) APPEAL PROCEDURE

Any owner has the right to appeal, to any extent they desire, any water charges or fees imposed on their property, but must do so at their own expenses.

An appeal to the Village shall be subject to the following procedure:

- A) All appeals must be in writing and addressed to the Village Mayor.
- B) The appeal shall state the name of the owner and the address of the property being appealed.
- C) The nature of the appeal.
- D) Signed by person making the appeal.

The Mayor shall attempt to resolve all appeals to the satisfaction of all parties within ten days of receipt of the appeal. Should the Mayor not be able to resolve the appeal, an owner may request, in writing, a hearing before the Village Board. The hearing before the Village Board shall be held within 35 days of the date of the request, and the final Board decision rendered within 65 days after said request.

The pending appeal does not relieve the owner of a timely payment of the charges being appealed. All water charges, including penalties, are due and payable within the guidelines stated in this policy. Any appeal found in favor of the owner which results in a reduction of water rent charges will be satisfied by a refund from the Village.

10) RESTRICTED WATER USE

From time to time, due to maintenance or other problems it becomes necessary to restrict water use either partially or totally to essential use only.

The following water restriction conditions are hereby established to inform the public of the type of restriction imposed in accordance with each condition number. The notice of any restriction will be announced by any or all of the following methods:

- A) Emergency vehicle with PA System traveling street by street within the Village
- B) Signs posted conspicuously about the Village.
- C) Bath radio station

No water shall be used from the Village water system for the uses listed under each condition noted below.

1. Watering lawns prohibited
2. Same as #1, plus
Washing Vehicles prohibited
Filling pool prohibited
3. Same as #2, plus
Watering gardens, flowers, & shrubs prohibited
4. Same as #3, plus
Use restricted to “only essential” in-home & business use.
5. State of water purity emergency. Boil all water prior to consumption.

Should it become necessary to impose any restrictions under this section there shall be no refunds or credits due from the Village for imposing such restrictions.

11. USE OF VILLAGE FIRE HYDRANTS

Except as noted below, the use of any Village fire hydrant for any reason other than Fire Department emergency or training purposes or Street Department maintenance is strictly prohibited.

12. POOL FILL UP

The Village Fire Department will fill swimming pools using the tanker truck at a cost of five cents (\$.05) per gallon for the tanker load. Additional water to complete the fill up will be obtained from the river or nearby pond. This portion of the policy is subject to the availability of Fire Department personnel and should be scheduled as far in advance as possible. The Fire Department will collect and retain \$.05 per gallon for providing this service.

The Avoca Village Board reserves the right to update or change any portion of this water policy they may deem necessary to better serve the community, or the Village Water Department.